

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRENDA DENISE BERG,

Defendant.

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4:04CR3146

MEMORANDUM AND ORDER

IT IS ORDERED,

- 1) The above-named defendant shall be detained until further order, because:
  - The defendant has failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3153 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant is not likely to fail to appear or pose a danger to the safety of any person or the community.
  - The Court's findings are based on the evidence contained in the court's records, the statements of defendant's probation officer, and the arguments of counsel.
- 2) The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.
- 3) A preliminary hearing will be held on July 12, 2011 at 10:00 a.m. before the undersigned magistrate judge. Counsel for the government, defense counsel, and the defendant shall attend the hearing.

June 29, 2011

BY THE COURT:

*s/Cheryl R. Zwart*  
Cheryl R. Zwart  
United States Magistrate Judge